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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 BABAK REZAPOUR,

13 Defendant.  
14

Case No. CR18-236RSL

ORDER GRANTING  
MOTION TO CONTINUE  
PRETRIAL MOTIONS  
FILING DATE AND TRIAL  
DATE

15 This matter comes before the Court on the defendant's unopposed motion to  
16 continue the pretrial motions filing date and trial date. Dkt. #22. Having considered the  
17 facts set forth in the motion, and the defendant's knowing and voluntary waiver, the  
18 Court finds as follows:

19 1. The Court adopts the facts set forth in the unopposed motion; specifically,  
20 that this case involves witnesses from various states and countries, that there is a  
21 protective order in place regarding the review of discovery, *see* Dkt. #21, and that  
22 defense counsel needs additional time to identify and interview witnesses, request  
23 additional records, investigate possible defenses, conduct legal research, and otherwise  
24 prepare an appropriate defense. The Court accordingly finds that a failure to grant a  
25 continuance would deny counsel, and any potential future counsel, the reasonable time  
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1 necessary for effective preparation, taking into account the exercise of due diligence,  
2 within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

3         2.       The Court finds that a failure to grant a continuance would likely result in  
4 a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

5         3.       The Court finds that the additional time requested between December 3,  
6 2018, and the proposed trial date of October 7, 2019 is a reasonable period of delay, as  
7 defense counsel needs additional time to review discovery as well as conduct legal  
8 research and investigations; and that this additional time is necessary to provide defense  
9 counsel reasonable time to prepare for trial, considering all of the facts set forth above.

10        4.       The Court further finds that this continuance would serve the ends of  
11 justice, and that these factors outweigh the best interests of the public and the defendant  
12 in a more speedy trial, within the meaning of 18 U.S.C. § 3161(H)(7)(A).

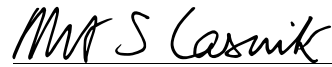
13        5.       Defendant has signed a waiver indicating that he has been advised of his  
14 right to a speedy trial and that, after consulting with counsel, he has knowingly and  
15 voluntarily waived that right and consented to the continuation of his trial to a date up  
16 to and including November 7, 2019, Dkt. #23, which will permit trial to start on  
17 October 7, 2019, per defense counsel's request.

18         IT IS HEREBY ORDERED that the trial date be continued from December 3,  
19 2018, to October 7, 2019.

20         IT IS FURTHER ORDERED that the pretrial motions cutoff date be continued  
21 to August 16, 2019.

22         IT IS FURTHER ORDERED that the period of time from the current trial date  
23 of December 3, 2018, up to and including November 7, 2019, shall be excludable time  
24 pursuant to the 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing  
25 and granting of this motion is excluded for speedy trial purposes pursuant to 18 U.S.C.  
26 §§ 3161(h)(1)(D), (h)(7)(A), and (h)(7)(B).

1 DATED this 2<sup>nd</sup> day of November, 2018.

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4 Robert S. Lasnik  
5 United States District Judge  
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